

REMARKS

The Examiner required restriction of the claims of this application under 35 U.S.C. § 121 into one of the following groups:

- I. Claims 1, 7-10, 11, 13, 14 and 17 (a)-22, drawn to a calcium crystal of human growth hormone (hGH) or a hGH derivative.
- II. Claims 2, 5-10, 12, 15, 16 and 17(b)-22, drawn to a monovalent crystal of human growth hormone (hGH) or a hGH derivative.
- III. Claims 3, 7-10, 12, 15, 16 and 17(b)-22, drawn to a protamine crystal of human growth hormone (hGH) or a hGH derivative.
- IV. Claims 4, 7-10 and 17(c)-22, drawn to a polyarginine crystal of human growth hormone (hGH) or a hGH derivative.
- V. Claims 23, 26 and 27-32, drawn to a method for treating a mammal having a disorder associated with human growth hormone deficiency.
- VI. Claims 24, 25 and 28-32, drawn to a method for inducing weight gain in a mammal by administering hGH crystals.
- VII. Claims 33, 36-40 and 45-58, drawn to a method of producing calcium crystals.
- VIII. Claims 33, 36-38 and 41-59, drawn to a method of producing monovalent cation crystals.
- IX. Claims 33-35, 45, 46, 51 and 53, drawn to a method for producing protamine crystals.
- X. Claims 33-35, 45, 46, 51 and 53, drawn to a method of producing polyarginine crystals.

In the Restriction Requirement, the Examiner contends that the inventions of the ten (10) Groups are distinct. For example, she contends that Groups I-IV encompass different hGH crystals. She argues that Groups V and VI are directed to different methods of treatment and that Groups VII-X refer to methods of making different crystals.

Applicants disagree with the Examiner's ten-way restriction, believing that the examination of all of the crystals in a single application presents no undue search burden. Nonetheless, to be responsive, applicants elect the claims of Group IV (claims 4, 7-10 and 17(d)-22) drawn to a polyarginine crystal of hGH or a hGH derivative.

Consistent with that election, applications have amended claims 7, 8, 9, and 17 to direct them to the elected subject matter and withdrawn the other claims. Applicants intend to rejoin the appropriate process claims upon allowance of the elected product claims.

Applicants' election of Group IV is specifically without prejudice to their right to seek and to obtain patents directed to the non-elected subject matter in applications claiming priority and benefit herefrom.

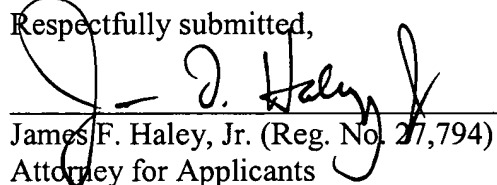
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Reply dated June 29, 2006
In Response to May 30, 2006 Restriction Requirement

CONCLUSION

Should the Examiner feel that a telephone conference with applicants' representative would assist the Examiner, he is invited to telephone the undersigned at any time.

Applicants request reconsideration of the Restriction Requirement in this application in view of the foregoing remarks.

Respectfully submitted,


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